WA 312/2007
BEFORE
HON'BLE THE CHIEF JUSTICE MR J CHELAMESWAR
HON'BLE SMTI JUSTICE A HAZARIKA

Heard Mr DC Borah, learned counsel for the appellant.

Aggrieved by an order of a learned Single Judge of this court dated 25-6-07 in WP(C) No.2424/07 the writ petitioner preferred the present appeal.

The petitioner was one of the applicants for the posts of Statistical Assistant which were sought to be filled up by the first respondent. Complaining that the selection pursuant to the notification is vitiated by mala fides on the part of the 3rd respondent, the above mentioned writ petition was filed. At the stage of admission the learned Judge of this court by order dated 23-5-07 thought it fit to direct the respondent State not to make any appointment to the posts of Statistical Assistant pending further orders. Subsequently by the order under appeal after hearing the respondents the learned Judge modified the above mentioned order permitting the respondents to proceed with the appointments, however, with a further direction to keep one post vacant.

The appellant is aggrieved by such order of modification. In our view, the interest of the appellant is adequately protected. If the appellant succeeds in the writ petition one post is kept vacant for his benefit.

In the circumstances we find no merit in the appeal and the same is dismissed at the admission stage.